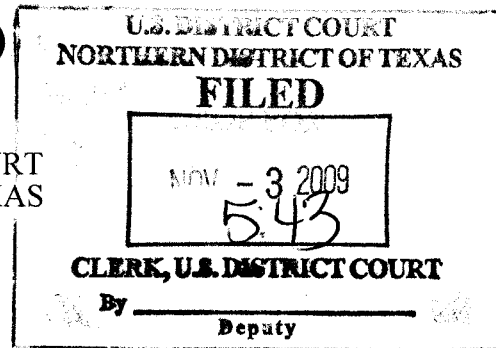


CITIZEN  
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ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION



AMERICAN AIRLINES, INC.,

Plaintiff,

-v.-

YAHOO! INC. and OVERTURE SERVICES,  
INC. d/b/a YAHOO! SEARCH  
MARKETING,

Defendants.

Case No. 4:08-CV-626-A

**JOINT MOTION REGARDING BRIEFING SCHEDULE ON *DAUBERT* MOTIONS**

Defendants Yahoo! Inc. and Overture Services, Inc., d/b/a Yahoo! Search Marketing ("Yahoo!"), and Plaintiff American Airlines ("American"), collectively referred to as the "Parties," submit this joint motion regarding the briefing schedule for the *Daubert* motions that the parties intend to file. In support of this joint motion, the Parties state as follows:

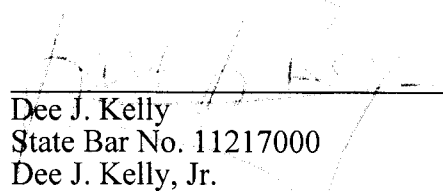
1. Under the Court's scheduling order, the last date to file *Daubert* motions is Friday, November 6, 2009.
2. Prior to filing the *Daubert* Motions, the parties desire to complete the deposition of American's expert, Dr. Basil Englis and complete some additional discovery concerning Yahoo's expert, Dr. Isabella Cunningham.
3. The Parties have worked together to complete these activities and have agreed that Yahoo! may depose Dr. Englis on November 6, 2009.
4. In light of the above, the Parties respectfully request that the Court enter an order with the following content:

- a. extending the date by which the parties must file their *Daubert* motions from Friday, November 6, 2009, to Tuesday, November 10, 2009;
- b. keeping as November 25, 2009, the date by which the parties must file any opposition to the other sides' respective *Daubert* motions (the same date such oppositions would have been due under the Court's original schedule);
- c. keeping as December 10, 2009, the date by which the parties must file their *Daubert* motion reply briefs, if any.

5. Under this proposed schedule, the *Daubert* motions will be fully briefed by the same date they would have been fully briefed had the *Daubert* motions been filed on November 6, 2009.

For the foregoing reasons, the Parties jointly and respectfully move the Court to order that (a) the parties may file their *Daubert* motions on or before November 10, 2009; (b) the parties' oppositions to each other's *Daubert* motions shall be filed on or before November 25, 2009; and (d) the parties' replies in support of their respective *Daubert* motions shall be filed on or before December 10, 2009.

Dated: November 3, 2009

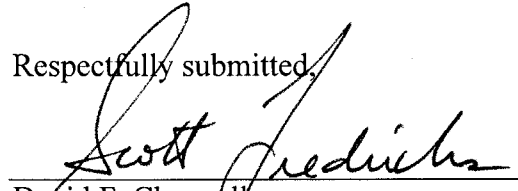
  
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Respectfully submitted,

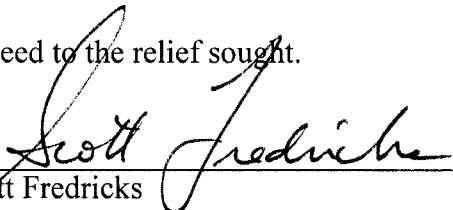
  
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### CERTIFICATE OF CONFERENCE

Counsel for American and Counsel for Yahoo! have conferred with one another regarding the relief sought in this motion and agreed to the relief sought.

  
\_\_\_\_\_  
Scott Fredricks

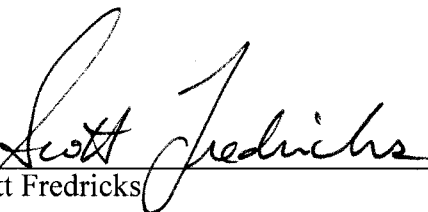
### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served, via electronic delivery, on the 3<sup>rd</sup> day of November, 2009:

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